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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF UTAH**

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THE SCO GROUP, INC.

Plaintiff/Counterclaim-Defendant,

v.

INTERNATIONAL BUSINESS  
MACHINES CORPORATION,

Defendant/Counterclaim-Plaintiff.

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**NOTICE OF CONVENTIONAL  
FILING OF SCO's MEMORANDUM  
IN SUPPORT OF ITS MOTION FOR  
RECONSIDERATION BY THE  
MAGISTRATE COURT OF THE  
ORDER DENYING SCO'S MOTION  
FOR RELIEF FOR IBM'S  
SPOILIATION OF EVIDENCE, and  
EXHIBITS THERETO; SCO'S  
MEMORANDUM IN SUPPORT OF  
ITS OBJECTIONS TO THE  
MAGISTRATE COURT'S ORDER  
DENYING SCO'S MOTION FOR  
RELIEF FOR IBM'S SPOILIATION OF  
EVIDENCE, and EXHIBITS  
THERETO; DECLARATION OF  
MARK F. JAMES, DECLARATION  
OF DR. EVAN IVIE, DECLARATION  
OF MARK ROCKHIND**

	Case No. 2:03CV0294DAK
	Honorable Dale A. Kimball Magistrate Judge Brooke C. Wells

**PLEASE TAKE NOTICE THAT** Plaintiff has conventionally filed the original and two courtesy copies of the following documents:

1. **SCO's Memorandum in Support of its Motion for Reconsideration by the Magistrate Court of the Order Denying SCO's Motion for Relief for IBM's Spoliation of Evidence**
2. **Exhibits to SCO's Memorandum in Support of its Motion for Reconsideration by the Magistrate Court of the Order Denying SCO's Motion for Relief for IBM's Spoliation of Evidence**
3. **SCO's Memorandum in Support of its Objections to the Magistrate Court's Order Denying SCO's Motion for Relief for IBM's Spoliation of Evidence**
4. **Exhibits to SCO's Memorandum in Support of its Objections to the Magistrate Court's Order Denying SCO's Motion for Relief for IBM's Spoliation of Evidence**
5. **Declaration of Mark F. James Regarding SCO's Objections to the Magistrate Court's Order Denying SCO's Motion for Relief for IBM's Spoliation of Evidence**
6. **Declaration of Mark F. James Regarding SCO's Memorandum in Support of its Objections to the Magistrate Court's Order Denying SCO's Motion for Relief for IBM's Spoliation of Evidence**
7. **Declaration of Dr. Evan Ivie in Support of SCO's Motion for Reconsideration by the Magistrate Court of the Order Denying SCO's Motion for Relief for IBM's Spoliation of Evidence**
8. **Declaration of Mark Rockhind in Support of SCO's Motion for Reconsideration by the Magistrate Court of the Order Denying SCO's Motion for Relief for IBM's Spoliation of Evidence**

These documents have not been filed electronically because:

\_\_\_\_\_ it cannot be converted to electronic format

\_X\_ the electronic file size of this material exceeds 2 megabytes (MB)

    the Court by order has excused electronic filing

\_X\_ they are exempt from electronic filing pursuant to § F(4)(e) of the ECF Policy & Procedures Manual (*sealed document*)

These documents will be served conventionally on all parties.

DATED this 16<sup>th</sup> day of March, 2007.

HATCH, JAMES & DODGE, P.C.  
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Mark F. James

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Robert Silver  
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Stephen N. Zack  
Edward Normand

By:           /s/ Mark F. James            
*Counsel for The SCO Group, Inc.*

**CERTIFICATE OF SERVICE**

Plaintiff/Counterclaim-Defendant, The SCO Group, Inc., hereby certifies that a true and correct copy of the foregoing NOTICE OF CONVENTIONAL FILING was served on Defendant/Counterclaim-Plaintiff, International Business Machines Corporation, on this 16<sup>th</sup> Day of March, 2007, via CM/ECF and electronic mail (by agreement of the parties) to the following:

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By: /s/Mark F. James